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State of Utah

DEPARTMENT OF NATURAL RESOURCES

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Division of Oil, Gas and Mining

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September 23, 2008

Shawn Baker, Resident Agent
Hiawatha Coal Company
P.O. Box 1240
Huntington, Utah 84528

Subject: Deficiencies for Bath House Parking Lot Expansion, Bear Canyon Mine, C/015/0025,
Task ID #3016

Dear Mr. Baker:

The Division has reviewed your application to expand the Bath House Parking Lot at the Bear Canyon Mine facility.

The Division has determined that there are some deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met, and an approval can be granted. Those deficiencies are listed as an attachment to this letter.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of Hiawatha Coal Company's response to that particular deficiency.

The plans as submitted are denied. Please resubmit the entire application.

Sincerely,

James D. Smith
Permit Supervisor

sc
Attachment
O:\015025.BCN\FINAL\WG3016\jds.Deficiencyletter.doc



Deficiency List
Task No. #3016
Bath House Parking Lot Expansion

The members of the review team include the following individuals:

Priscilla Burton (PB)
Steve Christensen (SC)
Joe Helfrich (JH)
Jim Smith (JS)
Wayne Western (WW)

PERMIT AREA

R645-301-521.190. The Permittee must update the permit area acreages in Chapter 1 page 1-5. In addition, the Permittee must also include information on the acreage of the disturbed area. (WW)

PERMIT APPLICATION FORMAT AND CONTENTS

R645-301-120: The Permittee must address the apparent pagination discrepancy with page 7-135 of the submittal. Page 7-135 of the submittal appears to correspond to page 7-106 in the approved MRP. (SC)

R645-301-120: The Permittee needs to modify the language on page 7-135 that describes culvert C-14D. The language should make it clear to the reader as to what is currently in use at the site. Future tense is utilized in describing the 8" concrete slab associated with the removed water bar. (SC)

R645-301-120: The C2 form indicates Plate 2-2B was part of the submittal, but that plate was not in either the hard copy or the electronic version on the CDs. Shawn Baker has indicated the C2 form is incorrect and Plate 2-2B is not part of this submittal. The Permittee needs to correct the C2 form for the next submittal. (JS)

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

R645-301-521.151, The Permittee must provide the Division with a map the clearly indicate sufficient slope measurements or surface contours to adequately represent the existing land surface configuration of the proposed permit area for at least 100 feet beyond the limits of mining disturbances. Neither Plate 5-2B nor any other map in the amendment completely shows contours 100 feet outside of the disturbed area. (WW)

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

R645-301-512.100, The Permittee must provide the Division with a certified copy of Plate 5-2B, Surface Facilities. (WW)

MINING OPERATIONS AND FACILITIES

R645-301-526.200 The Permittee must update the MRP to show that additions that they made to the surface facilities. The information in Appendix 5-A to include the new structures, start dates and estimated completion dates. (WW)

TOPSOIL AND SUBSOIL

R645-301-231.100, The plan must provide information on topsoil sampling in accordance with Table 2-4 and indicate volumes of topsoil salvaged from the expansion. [PB]

R645-301-231.100, South of the existing shower house pad, in DZE soils, the plan needs to indicate a minimum of ten inches will be salvaged. The DZE soil could yield satisfactory topsoil up to a 36 depth based upon previous sampling conducted at REF 2. [PB]

R645-301-232.300, The plan must indicate that six inches of topsoil will be salvaged from the TR soil on the slopes west of the shower house pad. [PB]

R645-301-231.400, The plan must describe the construction or modification of existing topsoil storage areas for placement of the topsoil salvaged. [PB]

BACKFILLING AND GRADING

R645-301-121.200, Page 8-20 of this application seems to indicate that Sediment pond A cut and fill requirements are reduced by approximately 40,000 cu yds. The plan must explain how this expansion impacts Sediment Pond A. • Table 2-7 (page 2-34) records acreage disturbed for each reclamation area. TS 9 acreage must be updated to include this post-law disturbance. • Since the Permittee is lacking topsoil, every effort to salvage topsoil should be made and Table 2-8 must be updated with information from this expansion. [PB]

HYDROLOGIC INFORMATION

R645-301-742.220, -221.31, -221.3 and -221.33: The Permittee must update the Sediment Pond C calculations within Appendix 7-F of the MRP. The Permittee must demonstrate that Sediment Pond C has the storage capacity to handle the increase in storm water volume that will be generated from the parking lot expansion. (SC)

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

R645-301-542.300, The Permittee must have the Plate 2-3B, Reclamation Area, certified by a registered professional engineer. (WW)

BONDING AND INSURANCE REQUIREMENTS

R645-301-830.140, The Permittee must update the bond calculation in Appendix 8-A. The Division will provide the Permittee with copies of the worksheets as needed. The bond calculations provided in the amendment are not in the same format as the bond calculations that the Division uses to determine the bond amount. (WW)

In addition, the C2 form indicates Plate 2-2B was part of the submittal, but that plate was not in either the hard copy or the electronic version on the CDs. Shawn Baker has indicated the C2 form is incorrect and Plate 2-2B is not part of this submittal. The Permittee needs to correct the C2 form for the next submittal. (JS)